

# Higgins Township

## September 9, 2024 Board Meeting Minutes

The regular meeting of the Higgins Township Board was brought to order by Supervisor Curnalia at 7:00 pm on Monday, September 9<sup>th</sup> 2024, followed by the Pledge of Allegiance.

Members present: Supervisor Curnalia, Clerk Borgula, Treasurer Sullivan and Trustee Jennette

Members absent: Trustee Peters

People in attendance: Steven Doggett, Tim Mephram, Aaron Grace, Randy and Kelly Hartman, Kim Morley, Elise Matz (from the solar farm project) and Fred German

Consent Agenda: Motioned by Trustee Jennette and Clerk Borgula to accept the consent agenda. All ayes. Motion carried.

### Fire/EMS:

New Hire: Motion made by Trustee Jennette and Clerk Borgula to hire Ryan Daly for Fire and EMS on a probation pending their background check. All ayes. Motion carried.

Resolution of Support of Michigan Township Participating Plan Grant Application \*Please see attached resolution\*

Fire Station's Bay doors need repairs, two bids were received. Will be going with the lower bid of \$1900 from JM Door.

Weekend of September 20<sup>th</sup> is the Fireman's Memorial Festival. Pancake breakfast is On Sunday, September 22<sup>nd</sup>.

Public Comment: None

### New Business:

Solar Farm: The company is doing soil samples and still looking at locations. They should know where they plan to place it in the next 6 months.

Katalenich/Jerome: Mr. Katalenich has summited a letter to the board \*please see attached\* outlining the complaints about the property of Mr. Jerome and the legality of said property. Supervisor Curnalia is going to contact our attorney to address this issue, the board feels that an attorney is needed. Mr. Katalenich is asking the board to take enforcement action against Mr. Letts (Building inspector and zoning administrator), Mr. Jerome and Mr. Bury (DNR). As the

board only employs Mr. Letts, motion made by Supervisor Curnalia and Trustee Jennette to continue to retain Jim Letts as the building inspector and zoning administrator. All ayes. Motion carried.

Lake St. Helen Advisory Board: Motion made by Clerk Borgula and Treasurer Sullivan to appoint Ron Salander and Jeff Furgeson to the Lake St. Helen Advisory Board. All ayes. Motion carried.

Money Market: Our auditor from UHY LLP suggested that we put a portion of our general fund into a money market. Motion made by Supervisor Curnalia and Trustee Jennette to put \$100,000 from the general fund into a 13-month CD at North Central Credit Union. All ayes. Motion carried.

Motion made by Supervisor Curnalia and Trustee Jennette to make Treasurer Sullivan and Clerk Borgula the custodians of the money market account. All ayes. Motion carried.

Motion made by Treasurer Sullivan and seconded by Clerk Borgula to adjourn the meeting at 7:30 pm. All ayes. Motion carried.

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William Curnalia, Supervisor

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Maggie Borgula, Clerk

These minutes are subject to change/amendment and approved at the next meeting of the Higgins Township Board on Monday, October 7<sup>th</sup>, 2024 at 7:00 pm. Minutes written by Clerk Borgula

### Attachments

Resolution of Support of Michigan Township Participating Plan Grant Application

Letter from Greg Katalenich to the Higgins Township Board

**Resolution of Support of  
Michigan Township Participating Plan Grant Application  
September 9, 2024**

**WHEREAS** the Township of Higgins Fire Department wishes to apply for a Risk Reduction Grant through the Michigan Township Participating Plan (Par Plan) to assist in purchasing/funding of road crossing signs for emergency vehicles; and

**WHEREAS** the Township of Higgins Fire Department is seeking a grant contribution of \$5,000

**NOW, THEREFORE, BE IT RESOLVED**, that the Higgins Township Board supports submittal of an application to the Michigan Township Participating Plan for a \$5,000 grant to assist in funding road crossing signs for emergency vehicles.

Motion by Treasurer Sullivan seconded by Supervisor Curnalia, Supervisor Curnalia declared the motion adopted. The following voted:

Yeas: Supervisor Curnalia, Clerk Borgula, Treasurer Sullivan, Trustee Jennette

Nays:

Absent: Trustee Peters

4 Yeas, 1 Absent

**CERTIFICATION**

I, Maggie Borgula, Higgins Township Clerk, hereby certify that the foregoing is a true and original copy of the resolution adopted by the Higgins Township Board at a regular meeting on September 9, 2024 at which was held in accordance with the Open Meetings Act of the State of Michigan.



Clerk Borgula

August 16, 2024

Higgins Township Board Members  
P.O. Box 576  
Roscommon, MI 48653

Re: Illegal Development in a Natural River District by Mr. Scott Jerome  
Request Higgins Township Enforce It's Zoning Ordinance

Dear Board Members:

Enclosed is a copy of our August 15, 2024 letter to the Governor. We want to keep the Township apprised of our continuing efforts to address the criminal misconduct by the MDNR Natural River Zoning Administrator and the illegal development by Mr. Jerome.

Also, I never looked until today to see the Township's minutes from the November 08, 2023 special board meeting. A couple of days after that meeting we got caught up obtaining personal protection orders against Mr. Jerome and with the subsequent meetings with attorneys and court hearing concerning the threats. In his motion to the court he stated he never made any threats, although he wasn't aware before the court hearing that our security cameras captured audio of him making the threats. He was proven a liar and the personal protection orders remain in place throughout the duration of the lawsuit brought against Mr. Jerome by thirteen property owners. One more threat and Mr. Jerome will be subject to a felony stalking charge.

In reviewing the Township minutes there is an error in what is written about what I said. I did not say I had three ongoing suits against the DNR. I said I had made three formal complaints to the directors of the DNR. I also said we thirteen property owners had an administrative proceeding concerning our standing to contest an illegal interpretation of a permit's expiration, a very small specific issue that would have no bearing on the overall issue of the DNR's and Mr. Jerome's intentional violations of the Natural River Rules and the Higgins Township Zoning Ordinance. We never had a lawsuit against the DNR. We had, and still have, an ongoing lawsuit against Mr. Jerome.

It is true I asked the Board to fire Mr. Letts for (in your words) "failure to uphold duties". Although, the minutes do not mention that he made the bold faced lie to the Board that I had never provided him with any evidence that the zoning permit was unlawful. We were very disheartened that Mr. Curnalia, who knows full well of all the evidence provided to Mr. Letts, did not say a word. It became painfully obvious that most of the Board members were more concerned in protecting Mr. Letts at the expense of ignoring the law and the citizens that it is suppose to serve.

The Board passed a motion "to follow the ruling of the courts when a ruling is made". What court and what ruling? Higgins Township isn't being sued. Higgins Township does not need

to wait for any court rulings to enforce it's Ordinance. Do you expect a court to rule that Higgins Township can choose favored people to violate it's Ordinance? The evidence of the Natural River Zoning Permit being fraudulently obtained is overwhelming, and, the evidence of **physical** violations of the Natural River Rules and the Higgins Township Ordinance requirements have been and are currently being violated is clear. What is also clear is that Higgins Township is knowingly hiding behind the MDNR getting away with intentional fraud and criminal misconduct as if the Township itself is somehow no longer obligated to enforce it's Ordinance. Hiding behind the MDNR's fraud is a disgrace.

In May 2024, we submitted to the Township additional information concerning our complaints to the MDNR and Higgins Township. The fraudulent permit is a big issue, but even bigger is the physical violations of placing a house and septic system where they cannot be legally placed. The grotesque natural river violations are plainly depicted in the many photographs in the PowerPoint files we provided you. As we said to the MDNR, you cannot hide behind lies and fraudulent documents when it is out there for all the public to see. This illegal development will be the picture child for corrupt administration of Michigan's Natural River Program if you do not correct it. That goes for Higgins Township also. The Natural River Rules are part of your ordinance and your corrupt administration of those rules and refusal to enforce them puts you in the same boat.

Higgins Township Ordinance provides sanctions for violations. Sanctions apply to "any person", which would include Mr. Bury and Mr. Letts for causing, allowing and consenting to the violations. The Higgins Township Zoning Ordinance states in part:

*Article XXI  
Administration and Enforcement*

*Section 21.04 - Violation and Sanctions.*

*1. Nuisance Per Se. Any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained or used, and any use of a lot or land which is begun, continued, or changed in violation of any term or provision of this Ordinance, is hereby declared to be a nuisance per se subject to abatement pursuant to MCL 125.3407 and as otherwise provided by law.*

*2. Violation. Any person, firm, partnership, association and or corporation (all herein referred to as "person") who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, any administrative decision made under the Ordinance, or any permit or approval issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance. Any person responsible for a violation of this Ordinance whether as an owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.*

Like I stated in the April 11, 2023, formal complaint letter to Higgins Township, we formally request Higgins Township take enforcement action against Mr. Letts, Mr. Jerome and Mr. Bury under your Ordinance for the numerous violations of the Natural River Rules that have and are currently being violated, and, to require Mr. Jerome restore the property to it's prior condition.

Please contact me with any questions you may.

Sincerely,

A handwritten signature in cursive script that reads "Gregory Katalenich".

Gregory Katalenich et al.  
11797 Lancewood Drive  
Roscommon, MI 48653  
989.390.0861  
greg48653@gmail.com

Enclosures: Our 05-30-2024 and 08-15-2024 letters to Governor Whitmer

CC: (via either physical or email)  
State Representative Ken Borton  
Roscommon County District 2 Commissioner  
Au Sable River Property Owners Alliance  
Property owners suing the Jeromes